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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

**DEANNA L. GEIGER, JANINE M.
NELSON, ROBERT DUEHMIG and
WILLIAM GRIESAR,**

Plaintiffs,

v.

JOHN KITZHABER, in his official capacity
as Governor of Oregon; **ELLEN
ROSENBLUM**, in her official capacity as
Attorney General of Oregon; **JENNIFER
WOODWARD**, in her official capacity as
State Registrar, Center for Health Statistics,
Oregon Health Authority; and **RANDY
WALDRUFF**, in his official capacity as
Multnomah County Assessor,

Defendants,

Case No.: 6:13-cv-01834-MC (Lead Case)
Case No.: 6:13-cv-02256-MC (Trailing Case)

**DECLARATION OF BRIAN S. BROWN
IN SUPPORT OF MOTION TO
INTERVENE**

and

NATIONAL ORGANIZATION FOR MARRIAGE, INC., on behalf of their Oregon members,

Proposed Intervenor.

PAUL RUMMELL and BENJAMIN WEST; LISA CHICKADONZ and CHRISTINE TANNER; BASIC RIGHTS EDUCATION FUND,

Plaintiffs,

v.

JOHN KITZHABER, in his official capacity as Governor of Oregon; **ELLEN ROSENBLUM**, in her official capacity as Attorney General of Oregon; **JENNIFER WOODWARD**, in her official capacity as State Registrar, Center for Health Statistics, Oregon Health Authority; and **RANDY WALDRUFF**, in his official capacity as Multnomah County Assessor,

Defendants,

and

NATIONAL ORGANIZATION FOR MARRIAGE, INC., on behalf of their Oregon members,

Proposed Intervenor.

I, Brian S. Brown, hereby declare and state as follows:

1. I am the President of Proposed Intervenor National Organization for Marriage, Inc. I have personal knowledge of the matters stated in this declaration and could and would so testify if called as a witness.

2. National Organization for Marriage, Inc. (“NOM”), is a non-profit organization devoted to protecting the institution of marriage and the faith communities that sustain it. Founded in 2007, NOM serves as a national resource for marriage-related initiatives at the state and local level.

3. NOM currently has more than 11, 000 members nationwide, including more than 100 members in Oregon.

4. Upon learning in March 2014 that the Attorney General of Oregon and the other defendants in this case were not going to defend Oregon’s marriage laws in this litigation, but were instead going to actively join Plaintiffs’ constitutional challenge, I began trying to identify someone in Oregon who might be willing and able to intervene to defend Oregon’s marriage law in this litigation. I discovered that many people who would suffer particularized harm if marriage was redefined in Oregon to encompass same-sex relationships and who therefore had grounds to intervene, were concerned about possible retaliation because of various forms of retaliation that have been suffered by supporters of true marriage elsewhere in the country.

5. Over the weekend of April 19, 2014, I was advised by legal counsel that NOM could intervene in this litigation to protect the interests of its members. I have now ascertained that NOM has members in Oregon who will suffer particularized harm if marriage is redefined in Oregon to encompass same-sex relationships.

6. Among NOM’s Oregon members are a county clerk, a wedding services provider, and an Oregon voter who cast a vote in the November, 2004 election in support of Measure 36 (the 2004 ballot initiative that amended Oregon’s Constitution to define marriage as between one man and one woman).

7. More than one of NOM's members who are providers of wedding services have informed me that they have sincerely-held religious objections to facilitating marriage ceremonies between people of the same sex and that they are concerned that, if marriage is redefined in Oregon to include same-sex relationships, they would be forced by Oregon's public accommodation law to facilitate marriage ceremonies between people of the same sex or cease providing wedding services as part of their businesses. These members have also informed me that they fear retaliation against their businesses if they are named as intervenors in this litigation.

8. Another of NOM's members has informed me that he voted in favor of Measure 36 at the November 2004 election, but that he fears retaliation against him if he is named as an intervenor in this litigation.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated this 21st of April, 2014.

/s/ Brian S. Brown
Brian S. Brown